

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
John T. Metcalf,	:	ECF Case
	:	
Plaintiff,	:	11-cv-03996 (AKH)
	:	
v.	:	
	:	
Sophocles N. Zoullas, et al.,	:	
	:	
Defendants.	:	
-----X	:	

PLAINTIFF'S NOTICE OF UNOPPOSED MOTION TO JOIN PARTY PLAINTIFFS

PLEASE TAKE NOTICE that, pursuant to Rules 20 and 21 of the Federal Rules of Civil Procedure, upon the Memorandum of Law in Support, and the accompanying Declaration and related Exhibits, and upon all prior proceedings and papers filed herein, Plaintiff John T. Metcalf, by his undersigned counsel, will move this Court before the Honorable Alvin K. Hellerstein, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 14D, New York, New York, at a time and date convenient for the Court, for an order to join Manny Doppelt and Lawrence Doppelt, Co-Trustees of the Frederick Doppelt Trust, as party plaintiffs and further will seek leave of the Court to file a Complaint reflecting the joinder of the new party plaintiffs (the "Modified Complaint"), with the Modified Complaint being treated as the operative complaint for purposes of Defendants' Motion to Dismiss filed with this Court on September 7, 2011. Defendants have reviewed Plaintiff's motion papers and do not

oppose Plaintiff's Motion.

Dated: October 5, 2011.

Respectfully submitted,

CHITWOOD HARLEY HARNES LLP

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Plaintiff's Notice Of Unopposed Motion To Join Party Plaintiffs** was filed this 5th day of October, 2011, via this Court's CM/ECF filing system, which gives electronic notice to all parties registered to receive such notice.

s/ Carol S. Shahmoon

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